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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,482	09/30/2003	Andreas Heim	SCH-00077	5999

7590 10/16/2007
Warn, Hoffmann, Miller & LaLone, P.C.
P.O. Box 70098
Rochester Hills, MI 48307

EXAMINER

LAO, LUN S

ART UNIT	PAPER NUMBER
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2615

MAIL DATE	DELIVERY MODE
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10/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/675,482	Applicant(s) HEIM ET AL.	
	Examiner Lun-See Lao	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 12-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 12-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Introduction

1. This action is in response to the amendment filed on 07-25-2007. Claims 13-14 have been amended and claims 10-11 have been canceled. Claims 1-9 and 12-19 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4, 9, 12 and 15-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Turnbull (US 2002/0032510).

Consider claim 1 Turnbull teaches an interior rear-view mirror (see fig. 18) for motor vehicles comprising:

a mirror housing (see fig.18) in which at least one speaker (500,512) is arranged, said speaker being part of a bass reflex system (read on lower frequency and see page 22 [0223]-[0225]).

Consider claims 2-4 Turnbull teaches the interior rear-view mirror (see fig. 18) of the bass reflex system (such as low frequency) has at least one chamber that is inherently (because by the interior rear-view mirror housing) sealed airtight with respect to the installation space of the mirror housing (see fig. 18 (10) and see page 22 [0223]); and

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the chamber holds at least one bass reflex port (506 and see page 22 [0223]); and the bass reflex port (506) connects to an opening in a rear wall of the mirror housing (see fig. 18 (10) and see page 22 [0223]).

Consider claims 9 and 11 Turnbull teaches the interior rear-view mirror of the chamber with bass reflex port (506 and see page 22 [0223]) and speakers (500,512) is designed as a plug in module (see fig.6 (86) and see page 12 [0142]); and the interior rear-view mirror, particularly the speaker (see fig. 18 (500, 512)) can be oriented (see page 22 [0223]).

Consider claims 15-16 Turnbull teaches that the interior rear-view mirror of the bass reflex system (read on lower frequency and see page 22 [0223]-[0225]) has two speakers (see fig.18 (500,512)) located next to one another and a distance apart; and the interior rear-view mirror (see fig. 18) of the bass reflex port (506) is located in the region between the two speakers (see 500, 512 and see page 22 [0223]).

Consider claim 17 Turnbull teaches that the interior rear-view mirror of the speaker (see fig. 18 (500, 501)) is attached to the rear wall of the chamber (see 500, 512 and see page 22 [0223]).

Consider claims 18-19 Turnbull teaches the interior rear-view mirror of the bass reflex system (read on lower frequency and see page 22 [0223]-[0225]) is located in the region between the bottom and the rear wall of the mirror housing (see fig. 18); and the interior rear-view mirror, characterized in that the bass reflex system (read on lower frequency and see page 22 [0223]-[0225]) is arranged symmetrically with respect to a transverse center plane of the mirror housing (see fig. 18).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turnbull (US 2002/0032510) in view of Wylin (US PAT. 6,127,919).

Consider claim 5 Turnbull teaches the interior rear-view mirror (see fig. 18) of said bass reflex port (506) terminates a distance away from a of the chamber (see page 22 [0223]); but Turnbull does not explicitly teach that the port terminates a distance away from a rear wall of the chamber.

However, Wylin teaches that the port terminates a distance away from a rear wall of the chamber (see fig.2 (40) and col. 2 lines 48-63).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Wylin into Turnbull to provide a security mounting speaker and improve the sound quality for the speaker system.

Consider claims 6-8 Wylin teaches that the interior rear-view mirror (see fig. 2 (10)) of the rear wall of the chamber (40,42) joins a top wall and side walls of the chamber to a bottom and the rear wall of the mirror housing (see fig.2 (10) and col. 2 lines 48-63); and the rear wall, the top wall and the side walls of the chamber are designed as a single piece with one another (see fig.2 (10) and col. 2 lines 48-63); and the interior

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rear-view mirror characterized in that the front wall of the chamber opposite the rear wall is formed by a part of the rear wall of the mirror housing (see figs.2-3 (10) and col. 2 lines 48-63).

6. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turnbull (US 2002/0032510) in view of Anstee (US PAT. 4,871,953).

Consider claim 13 Turnbull teaches the interior rear-view mirror of the speaker (see fig.18 (500, 512)) can be oriented (see page 22 [0223]); but Turnbull does not teach that the interior rear-view mirror can be oriented by a memory drive.

However, Anstee teaches that the interior rear-view mirror (see fig.1 (50)) can be oriented by a memory drive (52, 60 and see abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Anstee into Turnbull so that the driver will be easier to control the interior rear-view mirror.

Consider claim 14 Anstee teaches that the interior rear-view mirror (see fig.1, (50)) of the memory drive (52,60) is located in the mirror housing (50 and see col. 1 line 61-col.2 line 68).

Response to Arguments

7. Applicant's arguments filed 07-25-2007 have been fully considered but they are not persuasive.

Applicant argued that Turnbull '510 does not disclose a bass reflex system (see remarks page 6 second paragraph).

The examiner disagrees. Turnbull '510 disclose a speaker housing (see figs. 17-18), an acoustic port (506) and the two speakers (500,510). Turnbull '510 disclose the sound from speaker (500) exiting acoustic port (506), which is 180 degrees out of phase with the sound generated from speaker (500), and the sound from speaker (500) is inherently from the rear of the speaker diaphragm. The sound port (506) rents the outside of the mirror housing and constructs a last bass reflex system (see page 22 [0222]-[0225]). It meets the limitation as recited in claim 1.

Conclusion

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bachmann (US PAT. 7,088,836) is cited to show other related internal rear-view mirror for motor vehicles.

10. Any response to this action should be mailed to:

Mail Stop ____ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

(571) 273-8300

Hand-delivered responses should be brought to:


Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lao, Lun-See whose telephone number is (571) 272-7501. The examiner can normally be reached on Monday-Friday from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian, can be reached on (571) 272-7848.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (571) 272-2600.

Lao, Lun-See *L.S.*
Patent Examiner
US Patent and Trademark Office
Knox
571-272-7501
Date 10-03-2007


VIVIAN CHIN
SUPERVISOR PATENT EXAMINER
TECHNOLOGY CENTER 2000